

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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ROBERT CALLENDER II,

Case No. 2:14-cv-02199-KJD-PAL

Plaintiff,

v.

**REPORT OF FINDINGS AND
RECOMMENDATION**

DELTA AIR LINES, INC.,

Defendant.

This matter is before the Court on Plaintiff Robert Callender II's failure to comply with the Court's Order (Dkt. #5). This proceeding was referred to the undersigned pursuant to 28 U.S.C. § 636(b)(1)(B) and LR IB 1-4.

Plaintiff is proceeding in this action *pro se* and filed a Complaint (Dkt. #1-1) on December 24, 2014. Because the Court granted Plaintiff's request to proceed *in forma pauperis*, the Court screened the Complaint pursuant to 28 U.S.C. § 1915(e). Order (Dkt. #2). The undersigned found that Plaintiff's Complaint failed to state a valid claim and allowed Plaintiff thirty days to file an amended complaint. *Id.* Plaintiff filed a Motion for Extension of Time (Dkt. #4). The Court granted Plaintiff's request and instructed him to file an amended complaint on or before May 20, 2015. Order (Dkt. #5).

Plaintiff has not filed an amended complaint, requested a second extension of time or taken any other action to prosecute this case. Plaintiff was warned that failure to file an amended complaint to address the deficiencies noted in the screening order would result in a recommendation to the District Judge that this case be dismissed.

Accordingly,

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IT IS FURTHER RECOMMENDED that the Clerk of the Court enter judgment accordingly.

Peggy A. Jeen
PEGGY A. JEEN
UNITED STATES MAGISTRATE JUDGE

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, any party may file written objections with the court. Pursuant to Local Rule of Practice (LR) IB 3-2(a), any party wishing to object to the findings and recommendations of a magistrate judge shall file and serve *specific written objections* together with points and authorities in support of those objections, within fourteen days of the date of service of the findings and recommendations. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” The parties are advised that failure to file objections within the specified time may waive the right to appeal the District Court’s Order. *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991). The points and authorities filed in support of the specific written objections are subject to the page limitations found in LR 7-4.